

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TERRI A. BRENNAN, on Behalf	:	CIVIL ACTION
of Herself and All Others	:	
Similarly Situated	:	
	:	
v.	:	
	:	
RITE AID CORP.	:	NO. 08-cv-02970-JF

ORDER

AND NOW, this 7<sup>th</sup> day of October 2009, upon  
consideration of Defendant's Motion to Dismiss and Strike Class  
Allegations, IT IS ORDERED:

1. The class allegations are deemed stricken from  
Plaintiff's Second Amended Complaint pursuant to Federal Rule of  
Civil Procedure 23(d)(1)(D).

2. The motion to dismiss is GRANTED. Plaintiff's Second  
Amended Class Action Complaint is DISMISSED without prejudice for  
lack of subject matter jurisdiction in this Court.

BY THE COURT:

/s/ John P. Fullam  
John P. Fullam, Sr. J.